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5 **IN THE UNITED STATES DISTRICT COURT**  
6 **WESTERN DISTRICT OF WASHINGTON**  
7

8 Roland Ma  
9 Complainant,

10 v.

11  
12 Gallery Belltown Condo. Ass'n  
13 CWD Group, Inc.  
14 McKinstry Co., LLC  
15 Respondent.  
16

CASE NO. 2:21-mc-0015-JCC

**COMPLAINT OF HOUSING  
DISCRIMINATION**

17 **THE PARTIES TO THIS COMPLAINT**

18 **1. Complainants:**

19 Roland Ma  
20 2911 2nd Ave., Unit 515  
Seattle, WA 98121

21 **2. Complainant Representatives:**

22 None

23 **3. Other Aggrieved Parties:**

24 None

1       **4. The following is alleged to have occurred or is about to occur:**

- 2               • Otherwise deny or make housing unavailable  
3               • Discriminatory terms, conditions, privileges, or services and facilities  
4               • Discriminatory acts under Section 818 (coercion, Etc.)  
5               • Failure to make reasonable accommodation

6       **5. The alleged violation occurred because of:**

- 7               • Disability

8       **6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):**

9       Gallery Condominiums  
10      2911 2nd Ave., Unit 515  
11      Seattle, WA 98121

12      **7. Respondents:**

13      Mike Hilfer  
14      The CWD Group, Inc.  
15      2800 Thorndyke Ave. W  
16      Seattle, WA 98199

17      The CWD Group, Inc.  
18      2800 Thorndyke Ave. W  
19      Seattle, WA 98199

20               **Registered Agent for The CWD Group, Inc.**

21               Marshall Johnson  
22               2800 Thorndyke Ave. W  
23               Seattle, WA 98199

24      Gallery Belltown Condominium Association  
25      2800 Thornedyke Ave. W  
26      Seattle, WA 98199

27               **Registered Agent for Gallery Belltown Condominium Association**

28               The CWD Group, Inc.  
29               2800 Thorndyke Ave. W  
30               Seattle, WA

1       **8.       The following is a brief and concise statement of the facts regarding the alleged**  
2       **violation:**

3               Complainant Roland Ma has been residing subject property at 2911 2nd  
4       Avenue, Unit 515, Seattle, Washington 98121 in June 11, 2011. The subject unit is  
5       part of Respondent Gallery Belltown Condominium Association and is managed by  
6       Respondent CWD Group. Respondent Mike Hilfer is the Community Manager  
7       working for CWD Group. Complainant Ma has a mental/emotional and physical  
8       disability, that has been confirmed by the Court.

9               On March 5, 2021, Complainant Ma made two reasonable modification  
10      requests via email to Respondent CWD Group. On March 8, 2021, Complainant  
11      Ma made additional reasonable accommodation requests via email to Respondent  
12      CWD Group, allowing him to be treated same as other neighbours, by allowing the  
13      caregiver funded by Medicaid entering the building without Complainant Ma  
14      personally escort her to his unit. On April 2, 2021, Respondent Hilfer provided  
15      Complainant Ma with verbal confirmation agreeing to both reasonable modification  
16      requests, but denied in part as the Board made the decision that Complainant Ma  
17      cannot have any contractors.

18              On April 14, 2021, Complainant made a reasonable accommodation request  
19      via email to get a handicap parking to Respondent CWD Group. Complainant Ma  
20      also made a reasonable accommodation request to allow medication to be delivered  
21      to the front door of the subject unit instead of the building lobby. Complainant Ma  
22      states to access the subject unit, one has to go through the building lobby and  
23      common area. At the time, the policy set by Respondent Gallery Belltown  
24      Condominium Association was all deliveries would only be made to the building  
    lobby.

Complainant Ma provided medical documentation for both reasonable accommodation requests. Complainant Ma believes Respondent CWD Group forwarded the requests to Respondent Gallery Belltown Condominium Association. On May 12, 2021, Respondent CWD Group denied Complainant's reasonable accommodation requests on May 12, 2021 in writing. Complainant believes Respondents denied his reasonable accommodation requests.

On May 17, 2021, Respondent Gallery Belltown Condominium Association filed a Ex-Parte Temporary Restraining Order against Complainant Ma which required him to cease the reasonable modifications to Unit 515, which were verbally approved on April 2, 2021, and with an active permit issued by Seattle Department of Construction & Inspections (SDCI). On May 17, 2021, Complainant Ma was ejected from the subject unit by the police, by breaking down his door at 11:03p.m. The Ex-Parte Temporary Restraining Order prohibited Complainant Ma to live in the subject residence while electrical work was being done by McKinstry Co., LLC. Respondents stated the electrical work was to fix Complainant Ma's own modification work which Respondents felt did not meet compliance standards. Complainant Ma felt the Ex-Parte Temporary Restraining Order was not necessary for public safety and was retaliatory for making a reasonable accommodation request on April 14, 2021.

Date	Contractor	Time In	Time Out	Hours
6/1/2021	Huey Ford	10:01 AM	3:58 PM	5 hr 59 mins
6/3/2021	Bill	12:14 PM	3:35 PM	3 hr 21 mins
6/7/2021	Josh	11:58 AM	2:16 PM	2 hr 14 mins
6/8/2021	Huey Ford	9:12 AM	9:38 AM	26 mins
6/11/2021	Joe	1:20 PM	1:35 PM	15 mins
6/15/2021	Bill	10:18 AM	1:33 PM	3 hr 15 mins
6/16/2021	Bill	10:41 AM	2:27 PM	4 hr 14 mins
6/17/2021	Bill	7:19 AM	12:15 PM	4 hr 56 mins
6/29/2021	Bill	2:21 PM	2:44 PM	23 mins
7/8/2021	Bill	9:01 AM	4:11 PM	7 hr 12 mins
7/15/2021	Matt	8:43 AM	9:22 PM	1 hr 5 mins
8/6/2021	Joshua Strange	1:03 PM	2:06 PM	1 hr 3 mins
			Total	57.48 HRS

1           On June 28, 2021, Respondent Gallery Belltown Condominium Association  
2           filed a Preliminary Injunction in King County Superior Court which prohibited  
3           Complainant Ma to interfere with electrical work being done on Unit 515. In addition,  
4           the Preliminary Injunction prohibited Complainant Ma from residing at the subject  
5           property until electrical work was completed and Respondents alerted Complainant he  
6           can return. On August 28, 2021, Complainant Ma stated no electrical work has been  
7           done in the subject property by Respondents since he was ejected from his home and  
8           since Respondent Gallery Belltown Condominium Association successfully obtained  
9           Preliminary Injunction. Complainant Ma believes Respondents are purposely delaying  
10          the electrical work to keep Complainant Ma out of the subject unit. Complainant Ma  
11          believes Respondents are retaliating against his reasonable accommodation requests  
12          made on April 14, 2021. Complainant Ma states he is not allowed back in the building  
13          or the subject property and because the Board knows he has a handicap permit issued by  
14          the State, Complainant Ma states he is not even allowed to park in his assigned parking  
15          spot anymore while the contractors are supposed to be doing electrical work in the  
16          subject property. Complainant Ma believes this is also retaliation for making reasonable  
17          accommodation requests on April 14, 2021.

18           Complainant Roland Ma believes he has been discriminated against based on  
19          disability, With no lawful order, Mr. Ma was wrongfully ejected from his unit, now  
20          nearly four months, the new mandate for COVID restrictions were ignored, and Gallery  
21          disregarded any detainer law in which is a violation under the Fair Housing Act as  
22          amended by the Fair Housing Amendments Act of 1988. RCW 59.12 and 59.18, or  
23          ejectment procedure in RCW 7.28. The irony is Complainant Ma maintains the work he  
24          did on the electrical panel was legal and properly performed. He obtained a permit from  
25          Seattle Department of Construction & Inspections before starting and believed he  
26          followed the rules. McKinstry Co. LLC, Gallery's contractor, advised four days

four days are necessary for the repairs, in accordance to email exchange with the City released via Public Records Act.

The treatment Complainant Ma has received from Gallery is unjustified, and without support of the law. Complainant Ma is entitled to return to his home immediately.

**9. The most recent date on which the alleged discrimination occurred:**

June 28, 2021

**10. Types of Federal Funding Identified:**

Not related to his housing.

**11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:**

818, 804f1, 804f2, and 804f3B of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

**STATEMENT OF SECURITY BOND**

Since the State trial court did not require respondent to post a surety bond, as CR65(c) stated that: "...Except as otherwise provided by statute, no restraining order or preliminary injunction shall issue except upon the giving of security by the applicant, in such sum as the court deems proper, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained." When the Court decided no surety bond is required:

Complaint is required to:

- ☐ no injunction bond is required.
- ☐ provide a bond payable to the clerk of court in the amount of \$\_\_\_\_\_ (value), which the court has deemed proper and which is conditioned upon compliance by the plaintiff with the future order or judgment of the court with respect to the subject matter of the controversy.

**RELIEF**

The complaint requests that:

1. Each respondent be restrained from instituting any action against the complaint for recovery of the property or any part of it.
2. That the complaint be discharged from all liability, including both parties may not seek punitive damages
3. The complaint recover costs and reasonable attorney's fees.
4. The court may grant any further relief as may be just and proper under the circumstances of this case.

**CERTIFICATION AND CLOSING**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case

DATED: 8/30/2021

DocuSigned by:  
  
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